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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/723,326	11/28/2000	Keith A. Webster	PMS 268461 UM 1999-29

CONFIRMATION NO. 5537

FORMALITIES LETTER



OC000000006164328

Smithsburly Madison & Sutro LLP
Intellectual Property Group
Ninth Floor
1100 New York Avenue, NW.
Washington, DC 20005-3918

Date Mailed: 06/08/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

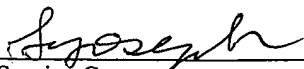
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216

- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Patent Application of

WEBSTER

Appn. No. 09/723,326

Group Art Unit: 1645

Filed: November 28, 2000

Examiner: Not Known

FOR: MOLECULAR SWITCH FOR REGULATING MAMMALIAN GENE
EXPRESSION

* * * *

June 25, 2001

REPLY TO NOTICE TO FILE MISSING PARTS

Hon. Commissioner for Patents
Washington, D.C. 20231

Sir:

Further to the Notice to File Missing Parts mailed June 8, 2001, Applicants note that an inventor's declaration and a preliminary amendment entering paper and computer readable copies of the sequence listing were submitted on May 2, 2001. A copy of the Notice is attached.

Please confirm receipt of the declaration and sequence listing. If they have been lost by the U.S. Patent and Trademark Office, however, Applicants will submit copies of the submission of May 2, 2001 including its date-stamped receipt showing those papers were submitted. The required statements with respect to "no new matter" and the contents being the same were made in the preliminary amendment.


Therefore, Applicants submit that they have complied with the requirements for patent applications containing nucleotide and/or amino acid sequence disclosures. Alternatively, if the sequence listing does not comply with 37 CFR §1.821 et seq., return of an error report is respectfully requested in order to allow compliance.

Finally, Applicant respectfully request that the references submitted with the Information Disclosure Statement on June 7, 2001 should be considered by the Examiner.

WEBSTER – Appln. No. 09/723,326

Applicants urge that the claims are in condition for examination and earnestly solicit an early Action on the merits. The Examiner is invited to contact the undersigned if any further information is needed.

Respectfully submitted,
Intellectual Property Group of
PILLSBURY WINTHROP, L.L.P.

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